

AMENDED

Serial No.

60469

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

SEP 14 1994

Date of filing in State Engineer's Office

Returned to applicant for correction. ~~DEC 12 1994~~ FEB 08 1995

Corrected application filed. Map filed FEB 23 1995 under 60464

The applicant James C. &amp; Clara L. Spears (Existing Place of Use Parcel#1955124)

Box 513-A Route 69

Street and No. or P.O. Box No.

of Amargosa Valley

City or Town

NV 89020

State and Zip Code No.

hereby make... application for permission to change the

Point of diversion for a portion and place of use and manner of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit# 17657 Certificate 6978

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground Source  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 10.0 acre feet, 0.0389 FT<sup>3</sup>/sec  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation & Domestic use  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation & Domestic use  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$   
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
Section 15 Township 16S Range 48E M.D.B.&M. from which point the SE corner of said section 15 bears S. 14° 39' 05" E. 980.0 Ft.
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 15  
If point of diversion is not changed, do not answer.  
Township 16S, Range 48E, M.D.B. & M. from which point the SW corner of said section 15 bears S. 26° 02' 00" W. 5596.0 Ft.
7. Proposed place of use The SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  Section 15, Township 16S., Range 48E. M.D.B.&M. 2.5 acres  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Sec 15, Township 16S., R 48E.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
M.D.B.&M. 2.5 acre
9. Use will be from January 1<sup>st</sup> to December 31<sup>st</sup> of each year.  
Month and Day Month and Day
10. Use was permitted from March 1<sup>st</sup> to October 31<sup>st</sup> of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Works complete, distribution system and use may be expanded.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works unknown, depends on DWR requirements
13. Estimated time required to construct works Works complete, one to three years to document beneficial use to the satisfaction of DWR.

14. Estimated time required to complete the application of water to beneficial use one to three years, depending on  
requirements of D.W.R.
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual  
consumptive use:

Supporting map to accompany this application has been supplied by Lisle Lowe  
(water rights surveyor #856)

Compared sm/jk

cl/cms

s/ James C. Spears  
By s/ Clara L. Spears  
Box 513-A Route 69  
Amargosa Valley, NV 89020

Protested \_\_\_\_\_

### APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 17657 Certificate 6978 is issued subject to the terms and conditions imposed in said Permit 17657 Certificate 6978 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0389 cubic feet per second, but not to exceed 10.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 25, 1998

Proof of completion of work shall be filed before May 25, 1998

Application of water to beneficial use shall be made on or before April 25, 1999

Proof of the application of water to beneficial use shall be filed on or before May 25, 1999

Map in support of proof of beneficial use shall be filed on or before May 25, 1999

Completion of work filed APR 17 1998

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 25th day of April

A.D. 19 97

*[Signature]*  
State Engineer

CANCELLED AUG 5 1999 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

*[Signature]*  
STATE ENGINEER